The Synod of California at Long Beach

vs.

Professor Day and The Board of Directors of the Seminary

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FOREWORD.

A promise made by the writer before the meeting of the Synod at Long Beach to a highly-valued friend, who loves his Bible and is deeply interested in all discussions concerning its integrity, that he (the writer) would furnish him a copy of whatever remarks he might be permitted to make in Synod with reference to the unhappy controversy that has been disturbing the peace of the Synod and of the Church for several years, has resulted in the publication that follows, although when the writer made the promise he had no dream that his friend wanted his words for publication. But if they and the wiser and weightier words which accompany them serve in any degree the interests of truth and open any eyes to see the tremendous crisis that confronts not only our beloved Church, but the whole Church of God, he is glad of their publication, albeit reproduced from memory and devoid of all literary merit.

The report of the Board of Directors to the Synod informed the Synod of the retention of

the defenders of the Board of Directors tried to shut off debate: but by the consent of everybody, as we were all in a mix-up, the motion and amendments were wiped off the slate as though they had never been offered. Then Dr. Dinsmore renewed his amendment, now as an original motion, that Synod disapprove of the report of the Board of Directors in so far as it relates to Dr. Day and then took the platform in support of his motion.

After Dr. Dinsmore's speech and Dr. Landon's reply thereto, there was another effort to shut off debate; one member, in defense of the Board's action in the retention of Dr. Day, proposing that he be allowed thirty minutes, to defend the Board, and that all after him be allowed five minutes. The writer replied that he had already told them that he had earned the right to address the Synod and that if he was limited to five minutes he would not speak at all. A motion that he be allowed fifteen minutes prevailed. The substance of his remarks is found within.

JOHN HEMPHILL.

Los Gatos, Nov. 20, 1911.

Substance of a Speech Delivered by REV. JOHN W. DINSMORE, D. D., LL. D.

Before the Synod of California at Long Beach, October 19, 1911, in the case of Rev. Thomas F. Day, D. D., and the Theological Seminary.

(NOTE.—This speech was not written. At the request of a well known layman who wished to print and circulate it, I have reproduced it from memory. I cannot claim for it exact verbal accuracy, but in substance, and largely in words, it is here reported as spoken.—J. W. D.)

Mr. Moderator, Fathers and Brethren:—

I now come to the discharge of one of the most unwelcome duties of my life. When one has reached my age, with nearly fifty years of active and continuous service in the ministry behind him; when he knows that the time cannot be very far away, and, admonished by broken health, knows that it may be very near, when he must give account of himself unto God; such a man, if he be of healthy mind, covets quiet and peace. He shrinks from conflict, and especially from controversy with his brethren. He longs for a quiet evening, a serene sunset, and, when it pleases God, a tranquil transition to his Fatherland. But, owing to the ordering of this Synod, and by no wish of my own, I am now brought to a place where I must take earnest part in the discussion of the question

before this body. My sense of the duty now upon me is so inexorable and so peremptory, that, if I foresaw that this is the last service I shall ever be able to render to my Lord, and the Church of my fathers and my affections, I should go forward all the same. It is hardly necessary for me to disavow all unworthy personal feeling in connection with this matter. I have no wrongs to avenge, no grudges to appease, and no personal ends to serve. This is not a personal matter at all, but a public one. I have only the kindest feelings towards Dr. Day, and I would gladly do him any service within my power of which my conscience could approve.

Let us get clearly before us the precise posture of the business in hand. A brief history of the case will help us. For a good many years there has been much uneasiness throughout the Synod concerning the reported beliefs and teachings of the incumbent of the Chair of Old Testament Literature in the Seminary. In consequence of this, the Seminary has suffered in the estimation of many of our people. At length, the Presbytery of Los Angeles brought before the Synod at its meeting in October, 1907, an overture or memorial, complaining of this state of things, and asking for an investigation.

At that time Dr. Day did not come forward and frankly tell the Synod what his views and teachings were touching the questions raised, as I judge most men would have done. Synod then appointed a committee, consisting of two

ministers and one elder, with instructions to attend the examinations at the Seminary the following spring, ascertain the facts, and report to the Synod at its next meeting. Against my own wish I was made chairman of that committee. When the time for the examinations came, a member of my family was alarmingly ill, and so I could not leave home. The elder did not attend. Dr. O. E. Hart, the other member of the committee alone attended, and made an individual report to Synod. His report was of such a nature that Synod determined to continue its inquiries, continuing the committe, only substituting Judge Law in place of Mr. Waldie, the committee to report at next meeting of Synod. Dr. Hart and myself visited the Seminary once during the term time, and attended some of the classes. At the spring examinations all the members of the committee were present. We met there a corresponding committee from the Synod of Washington on a similar errand. After attending the examinations, conferring together, and comparing views, the two committees acting jointly, determined to prepare a series of questions or interrogatories covering the principal points on which Dr. Day's views had been challenged, present them to him and ask him to return us an answer in writing, such answer to be explicit and unequivocal. Our wish was to secure from himself a categorical statement of his views on the questions proposed. Along with this paper, a fraternal letter was prepared and addressed to Dr. Day in which our most

friendly personal feelings and our purposes were set forth. Both these papers were heartily approved and signed by every member of both committees. These papers were sent to Dr. Day by mail, but no acknowledgement of their receipt was had by the committees for about two months. No answer to our interrogatories was ever made to us. All this was reported to Synod at its meeting in 1909.

It was recommended that, since Dr. Day declined to make answer to Synod's committee, it would be in order for the Synod itself to propound the questions. Dr. Day, who was present, took the ground that he was not bound to answer to the committee, nor even to Synod, as he was not amenable to Synod, but only to the Board of Directors. With remarkable patience and forbearance, the Synod then turned the questions over to the Board of Directors, with instructions to them to propose them, and report Dr. Day's answers to Synod at its next meeting. At the meeting of October, 1910, Dr. Day, at last, laid before Synod a printed pamphlet, which he had copyrighted, and in which he made an extended answer to the interrogatories. Thus it had taken the Synod three years to get from Dr. Day himself, a statement of his views on the matters in question. After full consideration, his answers to some of the more important questions were disapproved, and by a very emphatic vote. They were declared to be incompatible with the standards of the Church as interpreted by her highest courts. It was expected by many that,

after this emphatic vote of want of confidence, Dr. Day would at once voluntarily retire from his place. For this reason many of us objected to taking more drastic action at that time. Dr. Day did not resign, but on the contrary, published in a Fresno paper of the following Sabbath, a vindication of himself and his position, and indirectly a condemnation of the action of the Synod. The Directors took no action looking towards his removal, and now they come here with a so-called "agreement," which provides that he shall remain in his chair, but that certain restrictions shall be placed on his teachings. To this, we are told, Dr. Day assents. In effect, he is required to suppress certain views which he holds, and to advance certain other views which he does not hold, and this he agrees to do. A more preposterous and indefensible compact I cannot imagine in such a case. And Synod is now asked to approve of it. If he is a safe teacher, he ought to be left free; if he is not, he ought to be removed. I am at a loss to see how a professor can consent to be muzzled.

Now, let it be clearly understood, that, at bottom, there is but one central question here. No question is raised touching his character as a man, nor touching his standing as a Presbyter. This proceeding is concerned solely with the question of his fidelity to the professions he made and the pledges he took when he received his appointment as a professor. This Synod gave him an appointment with emoluments attached, in a Seminary under its con-

trol; gave him this on the ground of his emphatic profession that he believed, ex animo, certain doctrines, and on the further ground, of his most explicit, searching and solemn vow before God, that he would uphold and maintain these doctrines, and in no way teach anything to the contrary. Let me read the obligation he took. Here it is: "In the presence of God and the Directors of this Seminary, I do solemnly and ex animo adopt, receive, and subscribe the Confession of Faith, and Catechisms, of the Presbyterian Church in the United States of America, as the Confession of my Faith, and as containing the system of doctrine taught in the Holy Scriptures, and therein revealed by God to man for his salvation; and I do solemnly and ex animo, profess to receive the Form of Government of the said Church as agreeable to the inspired oracles.

"And I do solemnly promise and engage not to inculcate, teach nor insinuate anything which shall appear to contradict or contravene, either directly or impliedly, anything taught in the said confession of Faith or Catechism; nor to oppose any of the fundamental principles of Presbyterian Church Government, while I shall continue a Professor in this Seminary." Can anything more explicit, more searching and more binding be framed in human language than this covenant?

He made this profession and took this vow voluntarily and freely. He was not bound nor in any way coerced to take it. But having taken it, and on the ground of it having received an appointment with salary, the normal man of honor it seems to me would say that he is bound to keep it until honorably released from it. This profession and this pledge were not merely material, but essential to his appointment. Under no circumstances could he have had the place had he refused to take the obligation. There never was a time when he could not have been at once and honorably released from it, if he found that he could no longer keep it with a good conscience. Now, has he kept this covenant made with this Synod through its representatives, the Directors? That question was considered by the Synod last year, and it was decided by a large majority that he has not. The question now is, what is this Synod going to do about it? He has not sought release from his vows, but on the contrary insists on keeping his place after Synod has solemnly declared that he has violated the terms on which he received it. Now, what are we to do? Dr. Day, and those who speak for him, insist that he is in fact complying with the terms of his engagement; that his views and teachings as stated by himself, are not contrary to the standards, but within the limits allowed by those standards. But the right to determine that question is not lodged in Dr. Day, nor in his friends, nor in any group of us. No government on earth that is worthy the name allows a defendant or litigant of any kind, to decide his own case, or to construe, interpret and apply the law according to his mind. That is a prerogative of the courts.

The Church, by her regularly established judiciaries, is the only authorized interpreter and administrator of her own Constitution. It is for her to declare the meaning of her standards and to define their limits. The Church has always so held, and the Supreme Court of the United States has declared the claim valid and sound. Now, has the Church passed upon these issues between this Synod and Dr. Day? Most assuredly she has, and that most emphatically and repeatedly. This Synod, which is the founder of the Seminary, and the foundation of all its powers, which has full control over it, and which in this case, is the court of primary jurisdiction, has solemnly declared that certain of Dr. Day's views on important points are incompatible with the standards, and so with his vows and covenants. I can specify but two or three points. When, for instance, Dr. Day says, that, "The Pentateuch with the exception of a possible nucleus, is not the work of Moses, but the product of various hands, and that its constituent documents date from various periods, according to the law of progressive development in religious ideas and usages," when he tells us that, "It is the opinion of scholars others than those who hold the traditional view, that the Levitical Code was formulated not earlier than the time of the exile, and in this opinion I concur:" when he says of our Blessed Lord, that, "On matters of historical or literary character, He had only the knowledge possible to any Jew of His day," etc., etc., when he says such things and

teaches them, this Synod declares that such views are incompatible with our standards as interpreted by our highest courts.

If we appeal to the General Assembly, the highest court known to our Church, we find that it has spoken again and again most explicity and solemnly on these very questions, and always to the same purpose. I need not stop here to quote particular deliverances. It is enough to say in general, that within the last thirty years, during which time these questions have been in debate, the General Assembly over and over again, sometimes by judicial judgment, and sometimes by solemn public deliverence, has spoken her mind on these questions, and always in a voice of thunder. She has declared these doctrines to be contrary to the Word of God, to the standards of the Church, and subversive of the foundations of all evangelical religion. I invite our friends of the other side, to point to a single line in the utterances of the General Assembly in all her history, which even hints at the toleration of such doctrines. And shall we tolerate such teachings in our Seminary? Shall we stand supinely by while our coming ministers are innoculated with the virus of these destructive heresies?

Dr. Day told the Synod last year that he did not accept what we call the imprecatory, but what he calls the "damnatory" Psalms, and because they do not conform to his ideas of God. Think of that! Is not this to make his own mind the standard by which he judges the Di-

vine Mind? Is not this to place himself in so far, on an equality with God? Is it not in effect, to say that God's thoughts must conform to his ideas or he will not receive them? And is it not this naturalism pure and simple? It is to put the supernatural entirely out of Revelation, bring it down to the level of man's mind; and allow every man to make his own Bible. We are expressly warned that God's thoughts and ways are not like ours, but that they are higher than ours as the heavens are higher than the earth. Wherever we see God working or hear Him speaking, we see how true this is. He did not make this world according to human ideas. Suppose that even the wisest and best man that ever lived had been given a commission and clothed with power to make a world; would he have made one like this one which God made? Would he have covered vast areas with wastes of waters, and other vast areas with frozen solitudes? Would he have filled the earth and air with dynamic forces which are invincible and merciless for destruction? Would he have made noxious growths indigenous, spontaneous, and most tenacious of life, while benign and useful growths must be safeguarded and sheltered lest they die? Would he have hidden deadly poisons in minerals and plants, and created venemous serpents, savage beasts, and still more savage men to be the terror and death of all that is good? Would he have made malign bacteria to swarm everywhere, so that the greater part of human life and en-

ergy must be given to self-defense? Would he have made malignant disease contagious and good health hard to get and harder to keep? Would he have made a devil, or being made, would he allow him to live and be at large? Would he? Would you?

Then would your wisest and best man administer the world as God does? Would he send, or permit, pestilence to ravage populous countries and smite uncounted thousands in putrid death? Would he desolate half a continent with untimely frosts and scourge broad lands with famine? Would he shake down great cities with earthquake and burn them up with unconquerable flame? Would he stand supinely by and permit the reign of injustice, cruelty, and the frightful carnival of carnage and blood with which the earth and the race have been cursed from time immemorial? Would he come into your home and mine, and strike down our best beloved in dreadful suffering and death? I tell you, Moderator, that Almighty God is doing things every day in human habitations and communities, which if done by a man, or a monarch, or a government, would provoke a riot, a lynching, or a revolution. But we meekly say, it is the Lord, let Him do what seemeth to Him good. As Lincoln in his great second inaugural, when recounting the awful sufferings of the nation, and raising the question why they were permitted, cried out, "As was said three thousand years ago, so say we now, 'The judgments of the Lord are true and righteous altogether.'"

We know and humbly confess that God's thoughts and ways are not ours. And yet, shall we be told that if we find things in God's Book, and in His way of salvation, that do not conform to our ideas, we shall reject them? We will have none of them?

The Church of Jesus Christ stands today, as she has often stood before, at the parting of the ways. The theories and vanities of men are pressing in and striving to drive out the imperishable truth of God, and to dissolve and destroy the faith of the people in their risen Lord and His Holy Word. It is a time for all of us who fear God's wrath and hope in His mercy to stand fast and contend earnestly for the faith once for all delivered to the saints. It is no time for bated breath, nor for a halting, stammering, mincing testimony. It is a time for a robust faith in every word that God has spoken, and for a stalwart and unflinching witness to its indubitable verity.

Let nothing be done out of malice or vain glory. We must know no man according to the flesh, nor lend ourselves to any compromise or compact which palters with or covers up the precious truth of God. We are not to betray the truth for peace. Such peace is no peace. The work of righteousness is peace, and the effect of righteousness is quietness and assurance forever. Our duties may sometimes be unwelcome, and may call us to do that which has the appearance of harshness, but at whatever cost to our feelings, to our comfort, to our earthly attachments, and even to our lives,

we must stand by the sure testimony of our Lord, and maintain the honor of His Holy Name.

Substance of a Speech Delivered by

REV. JOHN HEMPHILL, D. D.

Before the Synod of California at Long Beach, October 19, 1911, in the case of Rev. Thomas F. Day, D. D., and the Theological Seminary.

"Moderator and Brethren: If Dr. Dinsmore felt the pain of embarrassment in speaking to his motion, I more. He is not a Director of the Seminary, I am, and have been so for many years, and it is painfully embarrassing to me to be in a position of seeming estrangement from, and antagonism to the faculty, at least to one member of the Faculty, to a majority of the Board of Directors, and to the Seminary itself. But things are not always what they seem, and in the fifteen minutes you have graciously allotted to me, I hope to convince you that I am not the enemy of the Seminary, but its friend, and one of its best friends. I have already told you that I am the only living man who served the Seminary as a professor without thought of financial reward.

That was before I went to Philadelphia, and after my return to San Francisco, when the Seminary lost two of its Professors in one year by resignation, Doctors Minton and MacKenzie, at once, I proposed to the directors that I would do my best to fill the gap thus made, and during the remainder of that Seminary year, again I served the Seminary to the measure of my ability without financial reward, or the thought of such.

"I am the friend of the Seminary and always have been, and knowing as I do as well as any member of this Synod, and I think better, the aims and aspirations and plans and purposes and prayers and tears and hopes and sacrifices of its founders, Scott and Burroughs and Alexander and Eells and Lindsley and Fraser, God helping me, I shall do what little I can, while I have breath and being to keep the Seminary true to the traditions of the Fathers, true to the truth of God's Word, true to the principles and purposes which its founders intended.

"Is it so today? I believe, nay, I know, that I am bringing no railing accusation against any in authority in the Seminary, or employed by it, but am speaking only the words of truth and soberness when I say that the Seminary is not today standing four-square upon the Scott-Burroughs-Alexander-Eells-Lindsley-Fraser foundation, so far as the inspiration and infallibility of the word of God is concerned. Personally I have a controversy with no man—none with Dr. Day. I have been

pained to hear of his broken health, and knowing what that means from painful and frequent experiences, I would gladly take him to the hills above Los Gatos that he might be nursed back to health there as I have been. My personal relations with Dr. Day have always been friendly. I would that they might continue so, but, Mr. Moderator and Brethren, there come times when even the best of friends must part company for the Truth's sake. The Lord and Master of us all came not to bring peace on earth, but a sword, and even to the cleaving asunder of the closest household ties. In this painful matter, I have been compelled for the Truth's sake to part company with very dear friends whom I have dearly loved for more than forty years, and I have not been able to do that without many a pang.

"Why have I parted company with so many dear friends in the Board of Directors and elsewhere? Primarily and chiefly for the Truth's sake: incidentally because the Board of Directors failed to carry out the implied intention of the Synod held in Fresno a year ago. Many of us, a majority of nearly two to one, went back to our homes strong in the belief that the Synod had set a very emphatic seal of condemnation upon Dr. Day's critical views of the Old Testament; and the minority of the Synod believed precisely the same. Some of us tried our best to persuade the Board of Directors that there was nothing for us, as the servants of the Synod and created by the Synod, to do, but to obey the bidding of the

Synod, but a majority of the Board, fifteen to nine, thought that they were higher than the power that created them. One of them said: 'If the Synod thinks that they elected a man of straw when they elected me, they will soon discover their mistake. I'm no man of straw. I'm not here to obey the bidding of the Synod, but my own, and I shall.' And he did, and so did a majority of fifteen to nine. They voted in solid phalanx to retain Dr. Day and his critical views of the Old Testament in the Seminary. True, they put shackles upon him in so far as to request him 'to minimize all purely critical questions in so far as seemed to him consistent with the best scholarship.' And it is true that Dr. Day meekly consented to wear the shackles, promising to eliminate all critical questions from the junior year and to give them only in homoeopathic doses to the older students. I characterized that compromise in the amendment which I had the honor to present as absurd in principle, unworkable in action and immoral in fact and effect, unworthy of the Board of Directors and of Dr. Day. I consented to the withdrawal of that amendment only to clarify the atmosphere of the befuddled Synod. I was conscious of no sin when I presented it and I am conscious of no sin in repeating it now. With all my heart and soul I believe it. The Fresno Synod was more kind to Dr. Day than his friends in the Board of Directors. That Synod left him unmuzzled. It gave him the largest liberty within the limits of the confession of faith,

and what professor or preacher in the Presbyterian Church wants larger liberty than that? His friends in the Board of Directors muzzled him as if he were a dog, too dangerous to be at large unmuzzled. I beg Dr. Day's pardon for the metaphor, but the unwise action of his friends suggested it. Or, to change the metaphor, they put him under bonds to give homeopathic doses of his medicine to the senior students, lest allopathic doses might have serious consequences, while to the babies of the Seminary he was to give none of the dangerous stuff whatsoever.

"To come to the merits of the controversy. I have read Dr. Day's printed answers to the questions propounded to him by the Board of Directors at the bidding of two Synods, and I can see little in them but the leaven of Dutch-French-German Naturalism, Rationalism and Infidelity. I do not like the company that Dr. Day keeps and generally a man is known by the company he keeps. Call the roll of his critical companions. Spinoza, an excommunicated Dutch Jew. The Jew who was not good enough company for his fellow-Jews of Amsterdam of the seventeenth century is good enough for the Christians of San Anselmo of the twentieth century, for Spinoza and Dr. Day think exactly alike as to the non-Mosaic authorship of the Pentateuch. Astruc: a notorious free-thinking, free-living French prodigal and profligate. Astruc and Dr. Day think exactly alike as to the Jehovistic-Elohistic documentary hypothesis of the Pentateuch. Eichorn,

De Wette, Vatte, Reuss, Keunan, Graff, Wellhausen, and many more, too numerous to mention. There they all are, the real Fathers of Higher Criticism: the men who invented it and gave it a name and a place in modern literature, and, with hardly an exception, they wrote and taught from an avowedly anti-supernatural and infidel standpoint: denying the Supernatural altogether, denying Miracles, denying Predictive prophecy, denying Messianic prophecy, denying all kinds of prophecy, denying Inspiration, denying Revelation in the sense in which they have been held and are still held, by the Presbyterian Church and the Church University, past and present.

"Dr. Day may tell us, he does tell us, in his printed answers, that he believes in the Inspiration of the Holy Scriptures; but what kind of Inspiration? Read his answers to the questions propounded to him by the Board of Directors concerning the Creation of the World and Man, and the Fall of Man. He says: 'We are not required to accept the Biblical accounts of these things in all their bald literalness. They are the serious attempts of thoughtful minds to solve the problems set before them.' That does not sound like the Inspiration taught us in the Scriptures: 'Holy men of old spake as they were moved by the Holy Ghost.' 'All Scripture is given by the inspiration of God,' literally, as you know, 'God breathed.' It does not sound like the Inspiration taught us in the Standards of the Presbyterian Church: 'The word of God, which is

contained in the Scriptures of the Old and New Testaments is the only infallible rule of faith and practice.' 'The serious attempts of thoughtful minds to solve problems!' Where is there any room for Inspiration in that? Everything in these Biblical stories of Creation and the Fall, according to Dr. Day's answers, CAME UP FROM the mind of man: nothing CAME DOWN from the mind of God. It was not God BREATHING IN, it was man BREATHING OUT. Evolution, not involution, accounts for the whole matter. A sorry sort of an infallible rule that. 'From nothing, nothing comes.' There must be involution before there can be evolution. There must be inspiration of God, God breathing, before there can be an infallible rule of faith and practice.

"When I reflect upon Dr. Day's attitude toward two utterly irreconcilable and contradictory things, the rationalistic critics of continental Europe and evangelical truth, I am reminded of the story of the man with wheels in his head who conceived the idea that he could cut the heart out of a living body without killing the life. There he is, bending over his victim, cutting, dexterously, patiently, skillfully, doing his best to sustain the fluttering life, and fancying as he draws near to the fatal stroke that he is about to triumph and convince the world that he can cut out the heart and keep the life, but he killed his victim. Even so, I see Dr. Day bending over the Bible with pitying, painstaking care, trying to keep faith in it alive, but meanwhile cutting

out the vitals of it, the very heart of it, with the keen blade put into his hand by the destructive critics of Europe. 'It will live,' he says, 'this dear old book, when all myth and falsehood have been cut out of it by the best scholarship of these modern days.' No, it will not live. It will live only so long as faith that it is the Infallible Word of God lives. It will live only so long as faith in Jesus Christ, who was and is and ever shall be, the Truth, lives, and Dr. Day, with one fell stroke of his pen, has done much to destroy faith in both. Dr. Day was asked: 'What critical value do you attach to the utterances of our Lord as recorded in the New Testament concerning historical events recorded in the Old Testament, and concerning questions of Old Testament authorship?' And this is part of Dr. Day's answer: 'On matters of historical or literary character, Jesus Christ had only the knowledge possible to any Jew of His day.' This is called 'the kenotic' theory of Christ's life on the earth, and Dr. Day tells us in his answer that he has temporarily accepted it as his own as the best explanation of the limitation of Christ's knowledge as a man. We have heard from Teacher Day. Now let us hear from Jesus Christ, The Teacher. He said: 'Have ye not read in the Book of Moses, how in the bush God spake unto him?' 'If they hear not Moses and the Prophets, neither will they be persuaded though one rose from the dead.' 'Had ye believed Moses, ye would have believed me, for he wrote of

me.' Beyond a peradventure Christ believed that Moses wrote the Pentateuch, and Dr. Day admits that he so believed, but Dr. Day says He was ignorant on questions of authorship. He didn't know as much about the authorship of the Pentateuch as Thomas Franklin Day knows. He didn't know anything about it. Ah! Dr. Day, you have taken away my Lord and I know not where you have laid Him. God helping me, so long as God gives me breath and being, I shall never vote to sustain a man who takes away my Lord and tells me that he didn't know who wrote the books of the Old Testament. Fathers and brethren! You have heard Jesus Christ The Teacher and Teacher Day. At whose feet do you wish to sit? Whom do you vote to sustain? Answer me as ye shall answer on the Last Great Day of God, at that dread tribunal before which we must all appear. As for me, a billion times do I prefer to sit at the feet of Him who 'knew all things and spake as one having authority, and not as the scribes' (the teachers) either ancient or modern.

"The trouble with Dr. Day's kenotic theory of Christ is that it does not explain the facts. It explains them away. If Christ was 'kenotic' (limited in knowledge) in the days of His humiliation, He was not kenotic after His Resurrection, when He was 'declared to be the Son of God with power.' Listen! Listen reverently. Listen with the ear of the heart attuned to spiritual realities: 'These are the words which I spake unto you while I was yet

with you that all things must be fulfilled which were written in the Law of Moses and in the Prophets, and in the Phalms concerning Me. These are not the words of the 'kenotic Christ, who did not know about questions of Old Testament authorship, according to Dr. Day. They are the words of the Risen Christ, who knew all things. Laying His pierced hands upon the Law of Moses, the Prophets and the Psalms, the Risen Son of God set the seal of His Divine and Omniscient approval upon the whole of the Old Testament, the Law, the Prophets and the Psalms, just as we have them today, not one of the thirty-nine books of the Old Testament missing. On matters of historical or literary character, upon the historicity and integrity and infallibility of the Old Testament Scriptures, I had rather ten million times ten thousand millions, sit at the feet of the Risen Son of God than at the feet of Thomas Franklin Day and all the Higher Critics in Christendom.

"What is the matter with our Theological Seminaries? Dr. Landon has just told us that they are hardly holding their own. Higher Criticism is the matter. Young men don't want darkness, they want light. They don't want doubt and denial and negation; they want assertion. What is the matter with our preachers and our people? Higher Criticism. Unconvinced preachers mean unconvinced people. A man with a whole Bible has power. A man with a Bible full of holes has no power and will never be a Soul-saver. I

have not known a preacher of the last fifty years who had the ear of the world and was used of God in saving souls to any extent who had any sympathy with Higher Criticism. I do not know of any archaeologist of acknowledged scholarship who is a Higher Critic. The diggers amid the ruins of dead and buried civilizations come forth from the graves of Nineveh and Babylon and other dead and buried cities and say to us 'Thy word, O God, is true!' What is the matter with our Churches? Why are we having no more revivals of religion? Higher Criticism. What was the matter with the Church of Scotland a hundred years ago? Higher Criticism. They called it Moderatism; but these two, Moderatism and Higher Criticism, are one, equally lacking in power and glory, loose beliefs about the Bible, loose subschiption to the standards of the Church, loose morals. The Church of Scotland was stranded high and dry on the sand-bar of indifferentism; but there were giants in those days, and Thomas Chalmers and Thomas Guthrie and James McCosh and many other Elect Souls did their best to pull the Ark of the Lord off the sand-bar of Moderatism, and prepared the way for the glorious disruption of 1843 and the consequent revival of evangelical religion in Scotland. What was the matter with the Presbyterian Church in Ireland three-quarters of a century ago? Higher Criticism. They called it Unitarianism; but Henry Cooke and John Ed-

gar and other men of grace and grit and gumption hurled the unholy thing out of the Church and then followed the greatest revival of religion that Ireland has ever known, and if we want a revival of religion in California the best way I know to bring it, is to stand four-square for the integrity of the Word of God, and the old-fashioned religion of Our Lord and Saviour, Jesus Christ.

"I voted to disapprove of Dr. Day's critical teachings, as a Director of the Seminary, and I shall vote to disapprove of them as a member of the Synod. I am opposed to the limitation put upon Dr. Day's teaching and accepted by him. There can be no compromise between truth and error. If Dr. Day's critical views are true, the students cannot have too much of them; if they are not true, they should have none of them. I, for my part, believe that they should have none of them. They are destructive of faith. A student who sat for years at the feet of Dr. Day, and is now a member of the Synod of California, and present at this meeting of the Synod, told me this on our way to Synod at Fresno last year: 'After listening to Dr. Day's lectures the students would compare notes and say to one another before we came to the Seminary we believed something about the Bible, now we do not know that we believe anything.'

"Is this the kind of teaching to give to the men who are going forth to preach the Word of God? I do not believe that Dr. Day's critical views are true. I do not believe that

we should permit them to be taught in our Seminary. I do not believe that they are in harmony with the standards of the Presbyterian Church. I do not believe that they are in harmony with the beliefs of the One Church of God past and present. I refuse to believe that all the great souls of nineteen centuries have been wrong in their beliefs about the Bible, and that a few Higher Critics of the nineteenth and twentieth centuries alone are right. I refuse to believe that Jesus Christ was wrong in His belief that the Pentateuch was written by Moses and that the Higher Critics are right in the belief that the Pentateuch was written for the most part by Post-Exilic priests and redactors, in the name of Moses, in order that their writings might find readier acceptance among the Jews. If I sign your name to a check I am a forger. If I sign your name to any kind of a document I am a forger. And forgery is a crime against the laws of God and men. In the name of truth, did the God of Truth inspire a lot of post-exilic forgers to write a part of His Word of Truth? I refuse to believe it. Dr. Day does not believe in the Inspiration of the Scriptures as the Presbyterian Church has always believed it. In spite of all that the critics are saying I expect a long day for the Bible and a correspondingly short day for the theories of Higher Criticism. They will have their little day and cease to be as all others have done. The critics, strive they never so hard, cannot put out the Light of God's Word. They

cannot quench its Fire. It has been killed millions of times, but it is living still, because it is the Word of God, which liveth and abideth forever. The anvil of God's word has worn out every hammer that has beaten upon it."

"In all that I have said I have not expressed a doubt concerning Dr. Day's piety, his sincerity, or his scholarship. How much so ever I may deem him mistaken in his critical views and methods I believe him to be a devout man still. Though "living in the New Bible Country," as he tells us in his booklet, and accepting for the most part the premises of his rationalistic mentors, he is still conservative enough to shrink from their rationalistic conclusions. It is pitiful that a man of Dr. Day's scholarship and insight and piety cannot see that he cannot ride at one and the same time two horses running swiftly in opposite directions. He cannot be at one and the same time an orthodox Presbyterian and a German rationalist."

LATTERMATH FROM THE LONG BEACH SEED-SOWING.

The Board of Directors of the Seminary, after the Fresno Synod refused to remove Dr. Day from the Chair of Old Testament Literature, according to the implied intention of that Synod, on the expressed ground that the Synod

had given no instructions to the Board, implied or otherwise, for his removal: So the Board, by a majority of fifteen to nine voted to retain him. After the Long Beach Synod, the Board convened on November 9th to elect officers for the current year and to transact such other business as might come before it. A letter from Dr. Day was received and read in which he refused to obey the bidding of the Synod, giving five reasons for his refusal, the last being that "as a Professor he is answerable directly and solely to the authority and direction of the Board of Directors." This left the majority of the Board without any subterfuge. Last year they hid behind the barrier of "no instructions." The instructions from Long Beach were explicit and drastic enough. The Board was instructed, nay more, commanded to remove Dr. Day from his chair, in case he refused to resign. A member of the majority of the Board moved that the Board refuse to remove Dr. Day because the Synod had transcended its authority, according to "The plan of the Seminary." An amendment was offered by a member of the minority that Dr. Day be removed from the Chair of Old Testament Literature. The vote on the amendment was a tie—eleven for and eleven against, and, therefore, was lost. The original motion prevailed by a vote of twelve to ten. How this may appear to Presbyterians generally the writer does not know, but to him it looks like nothing less than ecclesiastical lawlessness and disobedience.

CORRESPONDENCE

From the Pacific Presbyterian of November 9th.

San Rafael, November 6, 1911.

To Reverend John W. Dinsmore, D. D.
San Jose, Calif.

My Dear Doctor Dinsmore: Many years ago I learned to respect and admire your vigorous intellect, your strong independent spirit and your courage in maintaining what you believe to be the truth. You are a fighter in the best sense of that term; earnest, faithful and fearless in attack and defense, and you have won a host of friends and followers, of whom it has long been my boast and happiness to count myself one of the most loyal.

It is because of your well established position as a leader in the Church, and my sincere respect for your ability to lead, and also your wide reputation as an ecclesiastical lawyer, that I take it for granted that you are the author as you were the enthusiastic and successful promoter of the Preamble and Resolution adopted at the last meeting of the Synod in the case of Professor Day.

You may imagine therefore my surprise on reading this action of the Synod, to find it so much at variance with the law and constitution of the Church, and even with the Civil Law, which protects every man in his rights. The whole deliverance is a distinct usurpation.

In officially declaring Dr. Day to be "out of harmony with the standards of our Church, and not a proper instructor of young men entering the ministry," the Synod has made a serious attack upon the reputation and means of livelihood of a member of the Presbytery of Benicia in good standing, and that not in the way of judicial process. Indeed, you

will be the first to agree with me that the Synod has no jurisdiction whatever over Dr. Day as a presbyter, except on an appeal from a decision of Presbytery.

I hold therefore that this public and widely published declaration that Dr. Day is "unsound," and "unfit" to teach in our seminary, especially in view of his repeated acquittal by the only court which has tried him, is both unfair and criminally libelous.

You will claim, however, that the Synod did not condemn him as a presbyter, but simply as a professor in the seminary which is under its authority and control. But allow me to call your attention to the "Plan of the Seminary," which, as you will admit, is a part of the Constitutional Law of the Church, adopted by the Synod, and under which Dr. Day received his appointment as professor. (Article 2, Section 9.)

"The Board of Directors shall inspect the fidelity of the professors, especially in regard to the doctrines actually taught, and if after due inquiry and examination, they (the Board of Directors) shall judge that any professor is either (1) unsound in faith, (2) opposed to the fundamental principles of Presbyterian Church Government, (3) immoral in his conduct, (4) unfaithful to his trust or (5) incompetent to the discharge of his duties, it shall be the duty of the Board to remove him and appoint another in his place, which transaction, together with the reasons for it, shall be duly reported to the Synod at the next meeting."

You will notice how carefully this law has limited the powers of the Synod, and how distinctly it has established and guarded the authority of the Board of Directors, and fixed their responsibility. It is for the directors to inspect the fidelity of the professors, it is for them to make inquiry and examination, and above all it is for them and them alone to JUDGE.

In all this the Synod has no jurisdiction whatever, no right of trial, no authority to acquit or condemn. Synod elects the directors, and there its power ceases, with the one exception contained in Article 2, Section 13. "The Board of Directors shall nominate and elect all professors, subject to the approval of the Synod and the Assembly."

Of course it may approve or disapprove the reports which the Directors from time to time make of their acts, but with the single exception just noted, their approval or disapproval carries no weight of authority.

This is the law, clear, distinct, unequivocal, and binding alike upon the Synod and the Directors. Synod cannot order or direct the Directors, and their attempt to do so in the resolution under consideration, is a ridiculous usurpation of authority, as audacious as it is paltry.

Nor have the Directors any right to obey such an order. They cannot proceed to remove any professor unless after due inquiry and examination they (personally and individually) judge him to be either unsound in faith, or opposed to the fundamental principles of Church Government, or immoral in his conduct, or unfaithful to his trust, or incompetent to the discharge of his duties. These, and these alone, are the grounds upon which they can act, and then only on their own judgment, based upon their own investigation. As you well know the Board of Directors has on two occasions conducted a most thorough and patient examination of Dr. Day's alleged unsoundness in the faith, and as a result of these examinations has twice judged him to be sound in faith, and declared that there is no good reason for his removal. This judgment is thus far final and decisive, and should the Directors now, without further examination and inquiry and simply because of this illegal action of the Synod, vote for his removal, they would not only shirk the responsibility of their office and violate one of the

first principles of justice, but their action would be legally void and without effect.

Certainly you must acknowledge that the Board would put itself in a very absurd light to sentence a man whom they themselves have acquitted, after trial. But after all the most serious and evil result of such action would be the precedent established, viz.—that a majority vote of Synod could override the deliberate decisions of the Board of Directors, and in spite of the clear provision of the Plan compel the removal of any professor not acceptable to such majority.

(And, if the Synod can do that, why may it not also, by a majority vote, appoint the Professor?) The framers of the Plan placed the Directors between the Synod and the Seminary to protect the latter from the hasty, ill considered, and often prejudiced votes of ever-changing majorities of our annual Synods, and you, Dr. Dinsmore, would be the first to recognize the wisdom of this arrangement.

Indeed, if my memory serves me, you were, when a director, a very zealous and strenuous defender of the rights of the Board. You must admit that it is rather confusing to your friends, to find you throwing all the great weight of your influence into an effort to break down the law, and with splendid energy striving to destroy the Plan of the Seminary, and ride rough-shod over the prerogatives of the Board.

There is a legal way, as you well know, toward the end you have in view. It demands time and patience to pursue it, and there are responsibilities of failure, but that surely is no good reason why you should desert it in order to accomplish by a lawless coup d'etat, what you so eagerly desire.

Very sincerely yours,

ARTHUR CROSBY.

DR. DINSMORE'S REPLY TO DR. CROSBY.

The Rev. Arthur Crosby, D. D.,
San Rafael, Cal.

My Dear Dr. Crosby: Your letter addressed to me and published in the Pacific Presbyterian, concerning the action of Synod in the case of Dr. Day and the seminary, I have read with attention. My own inclination was to return no answer, partly because I have no taste for newspaper controversy, but mainly because, to be frank, the fallacy of your reasoning is so obvious that it seemed to me to require no answer. Lest some person, however, might be misled by it, I make reply.

First of all, let me say that your gracious words about me personally are accepted as sincere, and I assure you are gratefully appreciated and reciprocated.

Just why you should wish to transfer the discussion of this subject from the floor of Synod to the columns of a newspaper, I do not know. And just why you should single me out from among a great number of other members of the Synod as the special object of your attack, I do not clearly see. Such part as I had in the business was wholly unsought by me, and in pursuance of duties assigned me by Synod.

Your assumption that I was the author of the paper adopted by Synod is entirely gratuitous and without foundation. I never saw the paper, nor knew of its existence, until it was read on the floor. I did not then know, nor do I now know, even the name of the brother who offered it. I did not particularly note its form and wording, nor can I recall it now. All the same, I voted for it, and its purport and effect I fully endorsed. In my judgment, it was legally, logically, and ethically the right thing for Synod to do.

On two points of your letter I wish to comment. You contend that Synod had no right to call upon

Dr. Day to resign, and still less to instruct the Board in case of his failure to do so, to remove him; and this, because the Synod had no jurisdiction in the case, and that all authority to act in such a matter resides in the Board of Directors. We have heard much of this strange doctrine during the last two or three years. I can understand why some men should take up with it, but I marvel that one of your intellectual acumen should do so. Your notion seems to be that all effective supervision over the faculty and the Seminary is in the Board and that the Synod has no direct control whatever. Now, there are institutions of which this is true. Lane Seminary, for instance, was founded by an association of gentlemen who were granted a charter vesting in them full control of the institution, without responsibility to any other body whatever. They are a self-appointed, self-perpetuating body, and bound by no authority except their charter, their consciences, and public opinion; that is, except the very restricted supervision they voluntarily conceded to the General Assembly some years ago. Commercial corporations, however, and nearly all religious corporations, are under a very different plan. Notably is the San Francisco Seminary. The Articles of Incorporation define the object to be "to form a corporation for religious and educational objects, under the care and control of the Synod of the Pacific and the General Assembly of the Presbyterian Church of the United States of America, by the name of the San Francisco Theological Seminary."

The first article of the Plan says: "As this institution originates with the Synod, so that body is to be considered at all times its patron, and the fountain of its powers. The Synod shall, accordingly, appoint its Directors, and its sanction shall be necessary to the validity of its laws, and the appointment of all professors." It then proceeds to provide for the appointment of directors, to define their powers

and duties, to require of them full reports of all their proceedings, and, in general, to make them completely responsible to Synod for all their doings. From first to last, it assumes and asserts its full authority over the Board, laying down quite minute rules for their meetings, their organization, the keeping of their records, the making of their reports, as also prescribing their duties and prerogatives. In no sense or degree is the board a self-appointing, self-perpetuating, or self-governing body. It has no original or inherent or independent authority whatever. All its powers and prerogatives are derived and delegated and have their fountain in the Synod. The Synod is paramount and supreme; the Board subject and subordinate. In all such corporations a board of directors is simply a device for the convenience and facility of administration.

Our Synod is a numerous and widely dispersed body, meeting but once a year. It would be highly inconvenient, and even impracticable, for it, as a body, to administer the affairs of the Seminary in detail. It therefore creates an agency or instrument for this purpose, and delegates to it certain authority, strictly subordinate and responsible to it as the paramount authority. The Board is the creature, the agent, the servant, of the Synod. It is answerable to it for everything it does, and all its acts are subject to approval or disapproval. This is the state of things in every similar corporation, secular and religious. The principle is so plain, and the practice so common and familiar, that it would seem that only stupidity or perversity could challenge it. Is the creature above its creator? May the agent disregard the instructions of his principal? Is the servant to defy his master? The Synod at any time may resume its original, inherent, and inalienable powers and assert its supremacy at its pleasure. That the Synod is helpless in the face of a refractory and defiant Board of Directors, its creature, is a doctrine so preposterous that I marvel

that any intelligent man can espouse it. And yet, so able a man as I know Dr. Crosby to be, stigmatizes the action of Synod as a "distinct usurpation."

But you object to the action of Synod because, in effect, it pronounces a judicial judgment without judicial process. You insist that the only body entitled to test a professor and determine his fidelity is the Board of Directors, that this "court" has "twice" tried him and pronounced him sound in faith; and that the decision of this "court" is final. How and by what authority was the Board ever constituted into a "court"? How can it "try" any man? It can "inspect," but that is quite different from trying. Trying is a judicial process. The Board is not a judicial body. Besides, anyhow, this is not a judicial case at all. It raises no slightest question of Dr. Day's standing as a man or a presbyter. It is an inquiry into his fidelity as a professor; a special function, assigned him by the Synod, and on explicit terms and conditions. Has he complied with those conditions, and kept his solemn covenant and pledge made with the Synod, and as a material and essential part of the transaction by which he was given the place? That is the only question. It is what our Book calls an administrative case. The Synod did not make him a presbyter; it did make him a professor. When its will is carried out, it will have taken nothing from him which it had not first given him, and on explicit terms which he has not complied with. He will be left precisely where he was before the Synod made his a professor. It is analogous to the removal of a pastor from his charge. The removal of a pastor is an administrative act. It does not touch his standing as a presbyter. He may protest against his removal, cling to his place and salary most tenaciously, cry out that he is being discredited before the public and deprived of his livelihood, but, if the people demand it and the Presbytery approve, he must go. Synod put Dr. Day

in his place. It now asks him to resign, and in case of failure that he be removed, and because he is not complying with the conditions on which he received his place. You stigmatize this action of Synod too, and say it is "criminally libelous." The man who should bring action for criminal libel on such grounds would make a sorry, not to say comical spectacle of himself, and contribute to the gayety of nations.

But, Dr. Day claims that he is keeping his vows, and that the teachings called in question are within confessional limits. The determination of that question is not left to him. It would be very nice indeed, if an accused man had the right to decide his own case. Nor is it left to the Board. Whether Dr. Day's views are within the confessional limits is a question to be decided by the proper tribunals of the Church. In this case, primarily the Synod. Twice the Synod has decided that question, and against Dr. Day. The highest court of the Church has many times passed upon the same question, and always to the same purpose. I invite you to point out to me a single line from the authorized utterances of the General Assembly which indicates even toleration of such views as some of those avowed by Dr. Day. Over and over again, in the most emphatic manner, by judicial finding and by solemn deliverance, has the General Assembly pronounced against such views, declared them to be contrary to the Scriptures and to the Standards of the Church, and subversive of the very foundation of all evangelical religion. Within recent years men have been put out of the ministry by the Assembly for proclaiming such doctrines. More than once, too, men who hold such views have been called upon either to revise their beliefs, or quietly withdraw from the Church. The Assembly of 1899 demanded this of Dr. McGiffert, and he had the manliness to withdraw. No man is constrained to take upon him the vows of a minister or professor. But if he takes

them, and is entrusted with office in consequence, he is bound as an honorable man to keep them, or to seek honorable release from them. This he can have at any time by giving up his place with its emoluments, and quietly retiring. As a man he is free to believe and to teach what he pleases, but not while holding a place which he was given on explicit pledges that he would teach the doctrines stipulated. If he can no longer do what he promised to do and what he is paid for doing, let him frankly say so, and be released. That is the way men of the world even look at the matter. If this argument is unsound, let it be shown. If it is sound, then the action of the Board of Directors in refusing to carry out the instructions of Synod is simple rebellion.

As this is the first contribution made by me to the newspaper discussion of this subject, I sincerely trust it may be the last.

Faithfully yours,
JOHN W. DINSMORE.

San Jose, Nov. 13, 1911.